

STATE OF WISCONSIN

Senate Journal

Eighty-Sixth Regular Session

THURSDAY, February 23, 1984

10:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

By request of the president of the senate, with unanimous consent, the calling of the roll was dispensed with.

INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 635**

Relating to property taxes that may be considered in computing the property tax and rent credit.

By Senators Johnston and Chilsen.

To committee on Tourism and Revenue.

**Senate Bill 636**

Relating to an income tax and franchise tax credit for wetlands, granting rule-making authority and making an appropriation.

By Senators Opitz, Engeleiter and Lasee; cosponsored by Representatives Holperin, Luckhardt, Schultz, Stitt and Prosser.

To committee on Energy and Environmental Resources.

**Senate Bill 637**

Relating to appointment of court commissioners.

By Senator Strohl, by request of Attorney Art Nathan, Racine.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 638**

Relating to oil and gas exploration and providing a penalty.

By Senators Kincaid and Theno; cosponsored by Representatives Volk, Becker, Donoghue and Gilson.

To committee on Energy and Environmental Resources.

**Senate Bill 639**

Relating to the regulation of commerce in cultivated ginseng.

By Senator Chilsen; cosponsored by Representatives Robinson and Kasten.

To committee on Agriculture and Rural Affairs.

**Senate Bill 640**

Relating to campground reservations.

By Senators Risser, Strohl, Norquist, Helbach and Van Sistine; cosponsored by Representatives Andrea, Wood, Smith, Turba, Luckhardt and M. Coggs.

To committee on Tourism and Revenue.

**Senate Bill 641**

Relating to the assessment of vacation time-sharing property for purposes of the property tax and to objections to assessments in respect to that kind of property.

By Senators Kincaid and Van Sistine; cosponsored by Representatives Holperin, Volk, Smith, Schneiders and R. Thompson.

To Joint Survey committee on Tax Exemptions.

**Senate Bill 642**

Relating to placing lists of definitions in the statutes in alphanumeric order.

By Legislative Council.

To committee on Urban Affairs and Government Operations.

**Senate Bill 643**

Relating to modifying the primary guaranteed valuation per member for calculating state school aid and making appropriations.

By Senators Thompson and Maurer.

To committee on Health, Education, Corrections and Human Services.

**Senate Bill 644**

Relating to restitution paid by retail theft violators.

By Senators Czarnezki, Lee, Harsdorf, Hanaway, Helbach and Kincaid; cosponsored by Representatives Panzer and D. Travis.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

The committee on Aging, Financial Institutions and State Institutions reports and recommends for introduction:

**Senate Bill 645**

Relating to liability for the cost of care and services provided by public agencies and making appropriations.

Introduction:

Ayes, 6 -- Senators Feingold, Thompson, Czarnezki, Kincaid, Engeleiter and Lorman;

Noes, 0 -- None.

RUSS FEINGOLD  
Chair

JOURNAL OF THE SENATE [February 23, 1984]

Read first time and referred to committee on Aging, Financial Institutions and State Institutions.

The committee on Aging, Financial Institutions and State Institutions reports and recommends:

**POULSEN, JOYCE G.**, of Oshkosh, as a member of the Board on Aging and Long Term Care, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 6 -- Senators Feingold, Thompson, Czarnezki, Kincaid, Engeleiter and Lorman;

Noes, 0 -- None.

**Assembly Bill 233**

Relating to state and county shared correctional facilities.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Feingold, Thompson, Czarnezki, Kincaid and Lorman;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Feingold, Thompson, Czarnezki, Kincaid and Lorman;

Noes, 0 -- None.

**Assembly Bill 614**

Relating to bed capacity at the Green Bay correctional institution and operating a binder twine plant at the Waupun correctional institution (suggested as remedial legislation by the department of health and social services).

Concurrence:

Ayes, 5 -- Senators Feingold, Thompson, Czarnezki, Kincaid and Lorman;

Noes, 0 -- None.

**RUSS FEINGOLD**  
Chair

The committee on Agriculture and Rural Affairs reports and recommends:

**Senate Bill 579**

Relating to the duties of fence viewers and increasing a penalty.

Adoption of senate amendment 1:

Ayes, 4 -- Senators Moen, Feingold, Theno and Kincaid;

Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Moen, Feingold, Theno and Kincaid;

Noes, 0 -- None.

**Assembly Bill 142**

Relating to a personal property tax exemption for perennial plants that produce an annual crop.

Concurrence:

Ayes, 4 -- Senators Moen, Feingold, Kincaid and Theno;

Noes, 0 -- None.

**RODNEY C. MOEN**  
Chair

The committee on Health, Education, Corrections and Human Services reports and recommends:

**Assembly Bill 513**

Relating to authorizing adult patients to direct the withholding or withdrawal of life-sustaining procedures if the patient becomes terminally ill and providing a penalty.

Adoption of senate amendment 1:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

Adoption of senate amendment 2:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

Adoption of senate amendment 6:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**Senate Bill 485**

Relating to health maintenance organizations.

Passage:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**Senate Bill 542**

Relating to the election of school board members in unified school districts.

Passage:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**Assembly Bill 414**

Relating to referenda concerning school district reorganizations.

Concurrence:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**CARL W. THOMPSON**  
Chair

PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Department of State

February 21, 1984

To the Honorable the Senate

I have the honor to transmit to you the following information pursuant to s. 13.685(8):

Sincerely,  
DOUGLAS LAFOLLETTE  
Secretary of State

*Lobbyist's name, address, telephone number; principal's name, address, telephone number; the code numbers indicating Areas of Legislative Action; the code numbers indicating Areas of Administrative Action.*

Duffy, Shatzi, L., 4840 W. Fond du Lac Ave., Milwaukee, WI 53216 (414) 447-8333; Wisconsin Citizens Concerned for Life, 4840 W. Fond du Lac Ave., Milwaukee, WI 53216 (414) 447-8333; 3, 7, 9-12, 14, 19; 101, 108, 121, 129, 138, 161, 179, 186.

Goyke, Gary R., 22 N. Carroll St., Madison, WI 53703 (608) 251-5997; Wisconsin Academy of Trial Lawyers, 44 E. Mifflin, Madison, WI 53703 (608) 257-5741; 1-26; 101-186.

Hough, James E., One S. Pinckney St., Ste. 313, Madison, WI. 53703 (608)255-2180; Universal Foods Corp., Attn: Mr. Wayne Caskey, 433 E. Michigan St., Milwaukee, WI 53202 (414) 271-6755; 22; 101, 144, 170.

Lump, Edward J., 122 W. Washington Ave., Madison, WI 53703 (608) 251-3663; Wisconsin Restaurant Assn., 122 W. Washington Ave., Madison, WI 53703 (608) 251-3663; 1, 3, 7, 10, 11, 13, 18, 19, 21-23; 109, 116, 129, 140, 150, 170, 176, 184.

McDonough, John C., 1314 Catlin Ave., Superior, WI 54880 (715) 394-3077; United Transportation Union, 735 Division St., P.O. Box 86, Altoona, WI 54720 (715) 832-6516; 1-25; 101-185.

Registration Amendments:

Wisconsin Society of Podiatric Medicine: Change address and phone number to c/o Dr. James C., Boudreau, 11035 W. Forest Home Ave., Hales Corners, WI 53130 (414) 425-5140.

Lewis, James R.: Change address and phone number to 176 E. Washington St. West Bend, WI 53095 (414) 334-9537.

Lobbyist Suspension:

Donald, Edward Reid, for Veterans Lobby, effective February 15, 1984.

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

February 21, 1984

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

| Senate Bill | Act No.   | Date Approved     |
|-------------|-----------|-------------------|
| 349-----    | 122 ----- | February 21, 1984 |

Respectfully,  
ANTHONY S. EARL  
Governor

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 83-103

AN ORDER to create Ind 95.10, relating to apprenticeship in family-owned construction business.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, February 21, 1984.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, February 23, 1984.

Clearinghouse Rule 83-180

AN ORDER to repeal ch. Ind 46; and to create ch. ILHR 33, relating to tramways, lifts and tows.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, February 21, 1984.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, February 23, 1983.

Clearinghouse Rule 84-9

AN ORDER to repeal and recreate ch. Trans 6, relating to the rural and small urban area public transportation assistance program.

Submitted by Department of Transportation.

Report received from agency, February 22, 1984.

Referred to committee on Transportation, February 23, 1984.

The committee on Energy and Environmental Resources reports and recommends:

Clearinghouse Rule 83-156

AN ORDER to amend NR 181.55 (5) (a); and to repeal and recreate NR 180 Table 1, NR 181 Table IX and NR 182 Table 1, relating to fee schedules for solid and hazardous waste plan reviews and licenses.

No action taken.

Clearinghouse Rule 83-124

AN ORDER to repeal PSC 135-192.455 (f) (3); to amend PSC 135-192.227 (c) (1) and (2), 192.283 (b) (5), 192.455

(f) (2), 192.706 (b), 192.721 (b), 192.723 (b) (1), 192.731 (c), 192.739 (intro.), 192.743 (a), 192.745, 192.747, 192.749 (a), appendix A subd. I-F and II-B (21), appendix B subd. I, 193.2313 (b), 193.2623 (intro.), 193.2629 (a) (2) (ii), 193.2917 (a) and part 193-appendix A subd., I-F; to repeal and recreate PSC 135-192.614, 192.619 (a) (2) (ii) (intro.), 192.705 (b) (table) and 192.707 (b) (2) (ii); and to create PSC 135-192.614, relating to the construction, operation and maintenance of facilities for the production, transmission, distribution and utilization of gas.

No action taken.

#### **Clearinghouse Rule 83-185**

AN ORDER to create NR 26.01 (11) (b) and (33) (a), relating to establishment of year-round fish refuges on Lake Wyona, Columbia county, and Yellowstone Lake, Lafayette county.

No action taken.

JOE STROHL  
Chair

#### MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has agrees to a Committee of Conference on:

**Assembly Bill 212** and appoints Representatives Medinger, Plous and Larson as conferees on its part.

Adopted and asks concurrence in:

**Assembly Joint Resolution 89**  
**Assembly Joint Resolution 90**

Passed and asks concurrence in:

**Assembly Bill 217**  
**Assembly Bill 457**  
**Assembly Bill 537**  
**Assembly Bill 589**  
**Assembly Bill 613**  
**Assembly Bill 675**  
**Assembly Bill 761**  
**Assembly Bill 798**  
**Assembly Bill 799**  
**Assembly Bill 812**  
**Assembly Bill 847**  
**Assembly Bill 860**  
**Assembly Bill 870**  
**Assembly Bill 890**  
**Assembly Bill 891**  
**Assembly Bill 935**  
**Assembly Bill 954**  
**Assembly Bill 959**  
**Assembly Bill 987**  
**Assembly Bill 989**  
**Assembly Bill 1041**  
**Assembly Bill 1042**  
**Assembly Bill 1043**  
**Assembly Bill 1044**

Concurred in:  
**Senate Bill 79**

**Senate Bill 319**  
**Senate Bill 351**

Amended and concurred in as amended:

**Senate Bill 10**, assembly amendment 2 to assembly substitute amendment 1 and assembly substitute amendment 1

**Senate Bill 232**, assembly amendments 2 and 3

**Senate Bill 243**, assembly amendments 4, 6, 9, 12, 13 and 14 to assembly substitute amendment 1 and assembly substitute amendment 1

**Senate Bill 169**, assembly amendment 1

**Senate Bill 439**, assembly amendment 1

#### MESSAGE FROM THE ASSEMBLY CONSIDERED

#### **Assembly Joint Resolution 89**

Commending Judge Howard Latton on the occasion of his retirement.

By Representatives R. Thompson, T. Thompson and Johnson, co-sponsored by Senator Feingold.

Read and referred to committee on Senate Organization.

#### **Assembly Joint Resolution 90**

Relating to the life and public service of Carl R. Nyman.

By Representatives Jaronitzky and Larson, co-sponsored by Senators Theno and Chilsen.

Read and referred to committee on Senate Organization.

#### **Assembly Bill 217**

Relating to patients compensation panels.

By Representatives Johnson, Rutkowski, Hauke, Andrea, Prosser, Kunicki, T. Thompson, Shoemaker, Tesmer, Rooney, Ulichny, Crawford and Radtke, co-sponsored by Senators Risser and Thompson.

Read first time and referred to committee on Judiciary and Consumer Affairs.

#### **Assembly Bill 457**

Relating to the sale of tax delinquent real estate.

By Representatives Jauch, Shoemaker, Stower and Gilson, co-sponsored by Senators Lee, Moen and Hanaway.

Read first time and referred to committee on Urban Affairs and Government Operations.

#### **Assembly Bill 537**

Relating to disability benefits for county undersheriffs, deputy sheriffs and county traffic police officers.

By Representatives Jauch, Vanderperren, Smith, Wood, Shoemaker, Donoghue, Panzer and Schultz.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

#### **Assembly Bill 589**

Relating to involuntary termination of parental rights.

By Committee on Children and Human Development.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 613**

Relating to voluntary consent to the termination of parental rights.

By Representatives Schneiders, Seery, Williams, Luckhardt, Huelsman, Buettner, Schober and Prosser, co-sponsored by Senators Engeleiter, Davis, Risser and Hanaway.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 675**

Relating to county board delegation of investment authority.

By Representative Robinson.

Read first time and referred to committee on Urban Affairs and Government Operations.

**Assembly Bill 761**

Relating to court records in termination of parental rights proceedings.

By Representative Rutkowski, co-sponsored by Senator Czarnecki, by request of Milwaukee County.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 798**

Relating to release of information about forensic patients in treatment facilities.

By Representative D. Travis.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 799**

Relating to mental health patient rights.

By Representative D. Travis.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

**Assembly Bill 812**

Relating to the establishment of school district programs for school age mothers, granting rule-making authority and making an appropriation.

By Representatives Potter, Plous and Goodrich, co-sponsored by Senators Thompson and Lorman.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

**Assembly Bill 847**

Relating to permits for vehicles transporting bales of hay in loads which exceed width limitations.

By Representatives Wineke, Johnson, Volk, Manske, Stower, Smith, Moyer, Tregoning, Schultz and Goodrich, co-sponsored by Senators Feingold, Ellis, Lasee and Kreul.

Read first time and referred to committee on Transportation.

**Assembly Bill 860**

Relating to notice to victim regarding an offender's pardon application.

By Representative Potter, co-sponsored by Senator Otte.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 870**

Relating to interstate contracts for mental health services.

By Representatives Jauch, Stower, Medinger and Smith, co-sponsored by Senators Risser, Theno and Offner.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

**Assembly Bill 890**

Relating to granting cemetery associations authority to transfer cemetery property and operations to other cemetery associations.

By Representative Potter, co-sponsored by Senator Otte.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 891**

Relating to enforcement responsibility in populous counties for fair housing ordinance violations.

By Representatives Krusick, Plewa, Crawford, Ulichny, Schneiders, Williams, Seery, Becker, Hauke and Plous.

Read first time and referred to committee on Urban Affairs and Government Operations.

**Assembly Bill 935**

Relating to creating a penalty for unlawfully hunting moose.

By Representatives Jauch, Lewis, Metz, Stower, Holperin and Smith, co-sponsored by Senators Strohl, Otte and Theno.

Read first time and referred to committee on Energy and Environmental Resources.

**Assembly Bill 954**

Relating to the task force on comparable worth and making an appropriation.

By Representatives Tesmer, Loftus, Schneiders, Johnson, Munts, Roberts, Nelsen, Miller, Clarenbach, T. Thompson, R. Travis, Becker, Jauch, Metz, Wineke, Andrea, Radtke, Bell, M. Coggs, Gronemus, Plous, Ulichny, Antaramian, Brist, Chvala, S. Coggs, Crawford, Hasenohrl, Hauke, Horvath, Lewis, Looby, Medinger, Moyer, Neubauer, Potter, Robinson, Seery, Stower, D. Travis, Vanderperren, Buettner, Donoghue, Jaronitzky, Panzer, Rosenzweig, Walling, McEssy, Prosser, Rude, Stewart, Van Gorden, Williams, Kunicki and Gerlach, co-sponsored by Senators Cullen, Lorman, Lee, Risser, Norquist, Harsdorf, Engeleiter, Roshell, Maurer, Kleczka, George, McCallum, Strohl, Van Sistine, Johnston, Adelman, Czarnecki, Feingold, Helbach, Kincaid, Otte, Thompson, Hanaway, Theno and Chilsen, by request of Governor Anthony S. Earl.

Read first time and referred to committee on Urban Affairs and Government Operations.

**Assembly Bill 959**

For the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of agencies, officers and institutions, correcting and clarifying references, renumbering for better location and arrangement, eliminating duplications and unnecessary or obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.

Read first time and referred to committee on Urban Affairs and Government Operations.

**Assembly Bill 987**

Relating to miscellaneous changes in reports that state agencies are required to submit to the governor or the legislature, hospital surveys and construction, and highway construction by department of transportation employes.

By Representatives Roberts, R. Travis, Vanderperren, Radtke, Andrea, Hasenohrl, Smith, T. Thompson, Clarenbach, Rooney, Shoemaker, Quackenbush, Wineke, Johnson, Metz, Holschbach, Loftus, Menos, Munts, Seery, Bell, Stower, Robinson, Krusick, Bolle, Crawford, Jauch, Sell, Holperin, Ulichny, M. Coggs, Gilson, Antaramian, Chvala, Lewis, Plous and Medinger, co-sponsored by Senators Lee and Otte.

Read first time and referred to committee on Urban Affairs and Government Operations.

**Assembly Bill 989**

Relating to conveying certain submerged lands to the city of Racine for park, recreational and public facilities.

By Representatives Rooney and Neubauer, co-sponsored by Senator Strohl, by request of city of Racine.

Read first time and referred to committee on Energy and Environmental Resources.

**Assembly Bill 1041**

An act to ratify the agreement negotiated between the state of Wisconsin and the State of Wisconsin Education Professionals, AFT, WFT, Local 3271, AFL-CIO, for the 1983-85 biennium, covering employes in the professional education collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

**Assembly Bill 1042**

An act to ratify the agreement negotiated between the state of Wisconsin and the District 1199W/United Professionals for Quality Health Care, for the 1983-85 biennium, covering employes in the professional patient care collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

**Assembly Bill 1043**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin Science Professionals, AFT, Local 3732, for the 1983-85 biennium, covering employes in the professional science collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

**Assembly Bill 1044**

An act to ratify a supplemental agreement negotiated between the state of Wisconsin and the Wisconsin State Employes Union, AFSCME Council 24, and its appropriate affiliated locals, AFL-CIO, for the remainder of the 1983-85 biennium, covering employes in the clerical and related collective bargaining unit.

By Joint Committee on Employment Relations.

Read first time and referred to committee on Senate Organization.

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AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 575** by Senator Otte.

Senate amendments 1 and 2 to senate substitute amendment 1 to **Senate Bill 575** by Senator McCallum.

Senate amendment 1 to **Senate Bill 581** by Senator Van Sistine.

Senate amendment 1 to **Senate Bill 614** by Senator Roshell.

Senate amendment 6 to **Assembly Bill 513** by Senator Thompson.

Upon motion of the president the senate the senate adjourned until 10:00 A.M. Tuesday, February 28.

10:01 A.M.

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CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

**Senate Bill 547**

1. Page 7, line 18: substitute "district's" for "district".

2. Page 10, line 14: substitute an underscored period for the plain period.

3. Page 10, line 17: before "On" insert "(intro)".